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July 22, 2005

VIA ELECTRONIC FILING

Ms. Zita Lovett, Clerk to Judge Tauro  
United States District Court  
For the District of Massachusetts  
John Joseph Moakely U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

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Boston MA 02110  
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Re: ITV Direct, Inc. v. Healthy Solutions LLC, et al. and Cappseals, Inc.  
v. Healthy Solutions LLC d/b/a Direct Business Concepts, et al., Civil  
Action No. 04-CV-10421-JLT

Dear Clerk Lovett:

Pursuant to paragraph 4 of Judge Tauro's July 20, 2005 Order [Docket #133] and Fed. R. Civ. P. 54(b), attached please find Plaintiff-in-intervention, Cappseals, Inc.'s, proposed Judgment.

Very truly yours,

A handwritten signature in black ink, appearing to be "SAS" followed by a stylized flourish.

Scott A. Silverman

SAS:vay  
Attachment  
cc: Counsel for all parties by electronic service

B0422977v1

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC., )

Plaintiff, )

v. )

HEALTHY SOLUTIONS, L.L.C., et al., )

Defendants. )

CAPPSEALS, INC., )

Plaintiff-in-Intervention, )

v. )

HEALTHY SOLUTIONS, L.L.C., d/b/a )

DIRECT BUSINESS CONCEPTS; ITV )

DIRECT, INC.; and DIRECT )

FULFILLMENT, LLC, )

Intervenor-Defendants. )

Civil Action No. 04-CV-10421-JLT

**JUDGMENT**

**TAURO, D.J.**

This action came before the Court upon Plaintiff-in-Intervention Cappseals Inc.'s Motion for Summary Judgment. The issues have been heard and an ORDER and MEMORANDUM were issued on July 20, 2005, by TAURO, D.J. ALLOWING Cappseals' Motion for Summary Judgment and finding that "there is no just reason to further delay payment."

**WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED**

Pursuant to Fed. R. Civ. P. 54(b) judgment is hereby entered for Cappseals, Inc. on its claim against Reach and Apply Defendants ITV Direct Inc., and Direct Fulfillment, LLC in the amount of \$1,041,684.49, said amount consisting of:

- 1) Principal due in the amount of \$890,183.09.

- 2) Pre-Judgment interest through April 15, 2005 in the amount of \$123,609.00 pursuant to the *Judgment Against Healthy Solutions, LLC* [Docket #91].
- 3) Pre-judgment interest due from April 16, 2005 through July 22, 2005 in the amount of \$27,892.40 calculated at the statutory rate of 12%.<sup>1</sup>

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE, UNITED STATES DISTRICT COURT

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<sup>1</sup> Computed pursuant to Mass. Gen. Laws ch. 231, § 6C.